



State Ethics Commission of Georgia

ADVISORY OPINION NO. 1990-23
January 19, 1990

SUBJECT: PLACEMENT OF SIGNS ON PUBLIC UTILITY CORPORATION PROPERTY

REAL OR HYPOTHETICAL SET OF CIRCUMSTANCES:

A candidate for public office contacts a rural electric cooperative and requests permission to place campaign signs upon property which is owned by that rural electric cooperative, and in some instances, property for which it has an easement. May it legally do this?

ADVISORY OPINION

The permission to place campaign signs on property owned, leased or controlled by a public utility corporation regulated by the Public Service Commission is a contribution to a political campaign if the use of such property has any ascertainable value. If such signs can be observed by anyone from public rights-of-way or roadways, it will be deemed that such allowance of use of property owned, leased or controlled by a public utility corporation will have some ascertainable value.

Therefore, if a public utility corporation regulated by the Public Service Commission authorizes or allows, either directly or indirectly, the placement of any sign on property which is owned, leased or controlled by such public utility corporation, it shall be in violation of O.C.G.A. § 21-5-30(f).

Candidates or office holders who place signs upon public utility properties without the authority of the public utility corporation are trespassing upon the property of such public utility corporation. If such signs are placed by the candidate or office holder with the authority of the public utility corporation it is a violation of O.C.G.A. § 21-5-30(f) by the candidate placing the sign and the public utility corporation.